

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

*ch*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/188,702 08/13/98 CLEVER

E 5012-2

EXAMINER

QM22/0523

NORMAN E LEHRER  
1205 NORTH KINGS HIGHWAY  
CHERRY HILL NJ 08034

NGUYEN, K

ART UNIT

PAPER NUMBER

3712

DATE MAILED:

05/23/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/188,702

Applicant(s)

CLEVER ET AL.

Examiner

Kien T Nguyen

Art Unit

3712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 6-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

Art Unit: 3712

The following office action is in response to the Appeal Brief filed on 03/12/2001. In light of Appellants' comments, the finality of the office action dated 05/05/2000 is now withdrawn.

***Specification***

1. The attempt to incorporate subject matter into this application by reference to US Patent application SN 08/862,948 filed on May 30, 1997 is improper because SN 08/862,948 has been abandoned.

2. The disclosure is objected to because of the following informalities: page 6, the reference numeral "25" refers to "a web" and "profile". Page 7, line 9, after "invention", "mat" is misspelled.

Appropriate correction is required.

***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "25" has been used to designate both "a web" (see page 6 of the specification) and "type 2 connectors" (see Fig. 2). Correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

5. Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by Glickman U.S. Patent 5,137,486.

Art Unit: 3712

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glickman U.S. Patent 5,350,331.


In Fig. 25, Glickman ('331) disclosed a connector comprising a round disc plastic member having at least two holes formed therein and adapted to mate with a connector (401) by means of an interference fit when the connector (401) is insert into the holes; the holes being trapezoidal with a web material separating the holes from each other. It is noted that at least one and/or two of the holes are not in triangularly shaped with three internal corners, and one of the corners of at least one hole being closer to the other of the two holes than the other of the three corners as set forth in claim 6, 9, 10, 11. However, the shape of the holes dictated by the shape of the connector and the specification does not express any advantage of the two-fingered genderless connector over other types of connector. Therefore, it would have been obvious to one of ordinary skill in the art to modify the shape of the holes to conform with the shape of the desired

Art Unit: 3712

connector such as two-fingered genderless connector for the advantage of enhancing the connection between the connectors.

Regarding the narrow passage extending between the holes as set forth in claims 8 and 12, such feature is also dictated by the shape of the connector as well. Accordingly, it would have been obvious to one of ordinary skill in the art to modify the shape of the holes to conform with the desired connector for the reason as set forth above.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kien Nguyen whose telephone number is (703) 308-2493.

  
Kien T. Nguyen  
Primary Examiner

ktn

May 21, 2001